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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

WILLIAM R. CHANDLER,

Plaintiff,

v.

SANDRA J. CHANDLER, et al.,

Defendants.

2:10-CV-672 JCM (LRL)

ORDER

Presently before the court is plaintiff William Chandler's motion for reconsideration and recision of order dismissing civil rights complaint and vacating all pending motions. (Doc. #55). Defendant Charles W. Gurtler filed an opposition (doc. #56), as did defendant Sandra Chandler (doc. #57). To date, the plaintiff has not replied.

"Reconsideration is appropriate if the district court (1) is presented with newly discovered evidence, (2) committed clear error or the initial decision was manifestly unjust, or (3) if there is an intervening change in controlling law." *School Dist. No. 1J v. AcandS, Inc.*, 5 F.3d 1255, 1263 (9th Cir. 1993); *see* FED. R. CIV. P. 59(e); *see also* FED. R. CIV. P. 60(b).

The plaintiff fails to present any new law, new facts, or new evidence indicating that any of the circumstances enumerated by the Ninth Circuit are present here warranting reconsideration or any other relief. First, the court properly considered plaintiff's response brief (doc. #18), which remains on the docket and has not been deleted. Second, the defendant did not seek leave of the court to file his second amended complaint (doc. #24), as required by Federal Rule of Civil Procedure 15, nor did the court grant leave to file the third amended complaint. Finally, the court finds no merit

1 in any of the other allegations against the court, nor in plaintiff's attempts to attack the September
2 7, 2010, order (doc. #54).

3 Accordingly,

4 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that plaintiff William
5 Chandler's motion for reconsideration and recision of order dismissing civil rights complaint and
6 vacating all pending motions (doc. #55) be, and the same hereby is, DENIED.

7 DATED this 16th day of November, 2010.

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10 UNITED STATES DISTRICT JUDGE
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